



# CITY OF SALEM PLANNING BOARD

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## **Amended Decision**

### **Site Plan Review and Planned Unit Development Special Permit Decision 50 St Peter Street, Salem, MA (Map 35, Lot 179)**

May 19, 2023

Re: Application of Scott Grover, Esq., f/b/o Iron Bar LLC, for the property located at 50 St Peter Street, Salem, MA (Map 35, Lot 179) in the B5 Zoning District for an amendment to a Planned Unit Development Special Permit in accordance with the Salem Zoning Ordinance sections 7.3 Planned Unit Development. Specifically, the applicant proposes to amend an existing Planned Unit Development Special Permit decision dated December 12, 2006 and amended by Amended Decisions dated April 22, 2008; July 28, 2008; March 19, 2009; October 19, 2015; and February 9, 2016. The amendment would allow the conversion of the approximately 3,200 square foot space formerly used as a restaurant to three (3) residential dwelling units. The existing three (3) on-site parking spaces dedicated to the former restaurant will serve the three new dwelling units. There are no proposed changes to the exterior appearance of the building and no changes to the site, including landscaping, lighting, and utilities.

#### **Procedural History**

1. An application for an amendment the applicant proposes to amend an existing Site Plan Review and Planned Unit Development Special Permit and Site Plan Review decision dated December 12, 2006 and amended by Amended Decisions dated April 22, 2008; July 28, 2008; March 19, 2009; October 19, 2015; and February 9, 2016 was received on April 20, 2023. The applicant proposes to convert the approximately 3,200 square foot space formerly used as a restaurant to three (3) residential dwelling units. No changes are proposed to the exterior of the development.
2. The Planning Board of the City of Salem opened a Public Hearing for the amendment to Site Plan Review and Planned Unit Development Special Permit on Thursday, May 18, 2023. The public hearing was closed on May 18, 2023.
3. Throughout the public hearings, the plans and other submission material were reviewed by the Planning Board. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

### **Specific Findings:**

The Planning Board, after a public hearing and review of submitted materials and testimony, hereby finds that the proposed project meets the provisions of the City of Salem Zoning Ordinance, Sec. 7.3 Planned Unit Development, Sec. 9.5 Site Plan Review as follows:

#### **Site Plan Review Findings**

The Planning Board finds that the proposed project as conditioned complies with all review criteria as identified in Site Plan Review, Sec. 9.5.6. The Plan meets accepted site planning standards and promotes standards such that the development takes place in a manner which shall in all aspects be an asset to the City.

#### **Planned Unit Development Findings**

The Planning Board hereby makes the following findings pertaining to the Planned Unit Development Special Permit application:

- 1) The proposed planned unit development is in harmony with the purpose and intent of this ordinance and the master plan of the City of Salem and it will promote the purpose of this section by adding vitality to the downtown, converting vacant structures to housing and commercial uses thereby generating tax revenue, and by meeting the historic preservation goals of the city.
- 2) The mixture of uses in the planned unit development is determined to be sufficiently advantageous to render it appropriate to depart from the normal requirements of the district. Specifically, the project incorporates a mixture of housing, a jail exhibit, and an affordable live/work artist space providing substantial public benefit to this undeveloped parcel.
- 3) The planned unit development would not result in a net negative environmental impact.
- 4) The area requirement for the Planned Unit Development as described in the City Zoning Ordinance, Section 7-15(a) have been met as the lot area (45,348 sq.ft.) is greater than five (5) times the minimum lot size of the zoning district it is in (2,000 sq.ft., five (5) times= 10,000 sq.ft.)

### **Decision**

In view of these findings, the Planning Board decided at a regularly scheduled meeting on May 18, 2023, by a vote of seven (7) (Chair Bill Griset, Tom Furey, Helen Sides, Carole Hamilton, Sarah Tarbet, Jonathan Berk, and Josh Turiel) in favor, zero (0) opposed to approve the proposed project subject to the following conditions:

**1. Original Decision**

- a. All conditions set forth in the original decision for Planned Unit Development Special Permit decision dated December 12, 2006 and amended by Amended Decisions dated April 22, 2008; July 28, 2008; March 19, 2009; October 19, 2015; and February 9, 2016, shall remain in full force and effect, except as modified by the following plans:

Drawing Title	Sheet No.	Prepared By	Issued
Proposed Residential Units - Parking Plan			
Floor Plans	A-1.0	Seger Architects, Inc.	04-20-2023

**2. Amendments**

- a. Any proposed future changes to the site plan shall be submitted to the City Planner for their review, prior to any changes in the field. The submission shall include a plan sheet with all changes from the plans approved by the Planning Board bubbled, noted, and stamped by a licensed professional engineer or architect. This submission shall also include a brief narrative explaining the proposed changes. If deemed necessary by the City Planner, these amendments shall be brought to the Planning Board. Any waiver of conditions contained within shall require the approval of the Planning Board.

**3. City Engineer & Utilities**

- a. All work shall comply with the requirements of the City Engineer.
- b. Prior to Engineering sign off on a building permit, the applicant’s licensed plumber and/or fire protection engineer shall complete and submit a separate backflow prevention device design data sheet for each proposed device using the online permitting system, View Point Cloud, with the associated fee.
- c. Prior to building permit sign-off, applicant shall provide detailed information on the water meter location in the building that demonstrates clear access for City staff and future maintenance and that no other connections (tees) exist before the water meter. Applicant shall provide water meter sizing worksheet to confirm the required water meter size for the property with the new residential units for review and acceptance by the City Engineer.

**4. Violations**

- a. Violations of any condition contained herein shall result in revocation of this permit by the Planning Board unless the violation of such condition is waived by a majority vote of the Planning Board.

**Record of Vote**

The following members of the Planning Board voted seven (7) in favor and zero (0) opposed to approve the Site Plan Review and Planned Unit Development Special Permit application subject to the above-stated terms and conditions: Chair Bill Griset, Tom Furey, Helen Sides, Carole Hamilton, Sarah Tabet, Jonathan Berk, and Josh Turiel.

Amended Planning Board Decision  
50 St. Peter Street  
May 19, 2023

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Site Plan Review and Special Permit shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Essex South Registry of Deeds and is indexed under the name of the owner of record is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.



**William Griset**  
Chair, City of Salem Planning Board